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Response Under 37 CFR 1.116  
Expedited Procedure  
Examining Group No. 1661

Plant Patent Application  
Serial No. 09/664,247  
Atty. Docket No.: 2384-005440

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1661 :

In re Application of :

WILHELM ELSNER :

VARIETY OF GERANIUM PLANT  
NAMED 'PENDEC'

Serial No. 09/664,247 :

Filed September 18, 2000 :

Examiner - S. McCormick :

Pittsburgh, Pennsylvania  
July 16, 2002

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

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Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 23, 2002 of the Primary Examiner finally rejecting claim 1. A supporting Appeal Brief will be filed in due course.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on July 16, 2002.

Pamela A. Assad

(Name of Person Depositing Mail)

Signature

07/16/02

Date

Pursuant to 37 C.F.R. §1.17(b), a check in the amount of \$320.00 is enclosed herewith to cover the cost of filing the Notice of Appeal. The Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Notice of Appeal are enclosed.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON  
ORKIN & HANSON, P.C.

By



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